



FREDERICK COUNTY PLANNING COMMISSION

DIVISION OF PLANNING

FREDERICK COUNTY, MARYLAND

Winchester Hall 12 East Church Street Frederick, Maryland 21701 (301) 600-1138

FCPC Transmittal Memorandum

TO: Board of County Commissioners

FROM: Frederick County Planning Commission

Through: Eric Soter, Director

DATE: May 28, 2009

RE: A/RC Use and Definitions Text Amendment (ZT-09-03)

On May 27, 2009 the Frederick County Planning Commission (FCPC) held a Public Hearing regarding the above referenced zoning ordinance text amendment which proposes to remove and add definitions for permitted uses and related terms, remove and add uses to the Use Table, change processing of certain uses, and change special exception criteria related to the Agricultural and Resource Conservation zoning districts. The text amendment will also create the institutional and the open space recreation floating zoning districts, the Euclidean institutional and the Euclidean open space recreation zoning districts, and provide for continuing care retirement communities within the existing Planned Unit Development provisions.

Public comment was received from 6 individuals centering on discussions to provide flexibility for the relocation of the Great Frederick Fair, providing specificity within proposed provisions regarding the Euclidean Institutional zoning district, increased flexibility in application of the Priority Preservation Areas, and the need for provisions to address Places of Assembly within the Agricultural zoning district.

Commissioner Brown made a motion to recommend approval of Text Amendment ZT-09-03 to the Board of County Commissioners (BOCC):

Motioned: Brown, 2nd by White
Vote: 5-0-1-1
For: 5 – Brown, Floyd, McClurkin, Wolfe, White
Against: 0 – None
Absent: 1 – Forrence
Abstain: 1 – Hagen

5-0-1-1
Motioned Carried

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In addition Commissioner White made a motion, with a second by Commissioner Brown and an overall vote of 5-0-1-1, to forward the following recommendations for BOCC consideration regarding Text Amendment ZT-09-03:

1. Modify the text within Section 1-19-8.480(D) to read “Those properties with Euclidean Institutional or Euclidean Open Space Recreation zoning shall ~~revert~~ **be considered for reversion by the Board of County Commissioners** to Agricultural zoning in the event that the original use in existence on [the effective date of this ordinance] has ceased for one year or more”.
2. That the BOCC craft language to specifically provide increased flexibility for the relocation of the Great Frederick Fair within Section 1-19-10.1000.
3. Revisit Places of Worship and provide a separation for large places of worship within the text amendment to require processing by special exception.
4. Customary accessory uses should be more specifically defined.
5. Priority Preservation Areas within the Open Space Recreation floating zoning district should become a review criterion rather than a size and location criterion.

cc: Ronald A. Hart, County Manager
Teresa Biser, Executive Assistant to County Manager
Joyce Grossnickle, Administrative Officer
File – ZT-09-03